

D. Vt.
19-cv-15
Reiss, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 5th day of August, two thousand twenty.

Present:

Michael H. Park,
William J. Nardini,
Steven J. Menashi,
Circuit Judges.

E.M., by and through her parents and natural guardians, et al.,

Plaintiffs-Appellants,

v.

20-1772

Daniel M. French, in his official capacity as Secretary of the Vermont Agency of Education,

Defendant-Appellee,

George B. Spaulding, in his official capacity as Chancellor of the Vermont State Colleges System, AKA Jeb,

Defendant.

Appellants Roman Catholic Diocese of Burlington, James Hester, Darlene Hester, and A.H. move for an emergency injunction pending appeal. In light of the Supreme Court's recent decision in *Espinoza v. Montana Department of Revenue*, 140 S. Ct. 2246 (2020), Appellants have a strong likelihood of success on the merits of their claims. Accordingly, and upon due consideration, it is hereby ORDERED that the motion is GRANTED.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



Catherine O'Hagan Wolfe

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court



Catherine O'Hagan Wolfe

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